

**Minutes of Meeting of Environment Committee of Mid Ulster District Council
held on Tuesday 10 April 2018 in Council Offices, Ballyronan Road, Magherafelt**

Members Present

Councillor McGinley, Chair

Councillors Buchanan, Cuthbertson, Gillespie, Glasgow, Kearney, B McGuigan, S McGuigan, McNamee, M Quinn, Reid, Totten

Officers in Attendance

Mr Cassells, Director of Environment and Property
Mr Kelso, Director of Public Health and Infrastructure
Mr Lowry, Head of Technical Services
Mr McAdoo, Head of Environmental Services
Mrs McClements, Head of Environmental Health
Mr Scullion, Head of Property Services
Mr Wilkinson, Head of Building Control
Mrs Grogan, Committee Services Officer

The meeting commenced at 7.03 pm

E100/18 Apologies

Councillor Burton, McFlynn, Mulligan and O'Neill.

E101/18 Declarations of Interest

The Chair reminded Members of their responsibility with regard to declarations of interest.

E102/18 Chair's Business

The Chair, Councillor McGinley referred to the ongoing issues relating to the group of Travellers which have moved into the Ballyronan area and said that he was disappointed to hear that there had been little progress between Council and the Northern Ireland Housing Executive. He said that it was important that a halting site be identified in the Mid Ulster area to address such issues.

The Director of Public Health and Infrastructure advised that it was his understanding that the Travellers had recently moved into a Council carpark at the Shore Road , Ballyronan and that the Director of Leisure and Outdoor Recreation had issued a 7-Day Enforcement Notice to vacate the site and that this was being progressed . He said that the Council were working closely with the NI Housing Executive on the issues.

The Director of Public Health and Infrastructure advised a decision was taken to appoint a design team to identify some potential sites in the Ballyronan / Toome area which NIHE could review and possibly progress as a halting site for the provision of traveller accommodation . It was hoped to bring the findings of the scoping exercise for members consideration at the next meeting of Committee .

The Chair advised that the Council had a responsibility to address this issue, but would like a meeting arranged between the Council and the Housing Executive so that a way forward could be identified and a favourable outcome achieved.

The Director of Public Health and Infrastructure advised a meeting would be arranged with NI Housing Executive personnel to progress the issues.

The Chair said that it would be important to have a meeting arranged as soon as possible, maybe within the next two weeks as there was a responsibility to the Travelling Community as they are being moved around and would be concerned regarding their Human Rights and enquired if there was a policy in place.

The Director of Public Health advised that statutory responsibility for halting site provision rests with the Northern Ireland Housing Executive. NIHE are aware of this and are working with Council to seek to progress the issue. He said that there was a requirement to address the issue of Travellers illegally parked on Council premises, which resulted in a 7 day Enforcement Notice being issued.

The Chair asked that a formal paper be brought back to the next Environment Committee meeting on the scoping exercise and the work, which has been done to date.

Councillor Reid advised that during the term of Dungannon Council, there was ongoing work carried out to accommodate the Travelling Community in Coalisland, but there was an issue with some Travellers wanting to move around and not wanting to settle. He said something needs to be done as they are using Council carparks and suggested high barriers being installed at sites to deter them from entering.

The Chair said that he took on board members comments about Travellers not wanting to settle in static homes, but that it was important that a halting site be identified within the area. He said that his comments were relating to identifying a halting site only.

Councillor Reid stated that the Council had a responsibility to protect their property any way they seem fit.

The Director of Environment and Property advised that there was a robust restrictor set in place at Ballyronan but that this was removed to gain access.

Councillor B McGuigan said that a halting site was required in the Mid Ulster area and that he was involved in discussions with the Housing Executive regarding the issue and that Mr Michael Dallat, Mid Ulster Area Manager said that the Housing Executive was not holding up the process but blamed the Council. He said that it was the Council's responsibility to identify a site and progress the matter.

Councillor McNamee agreed with the Chair that a meeting with the Housing Executive was a good way of moving things forward and that he also heard within Executive meetings that the Council were to blame for holding things up.

Proposed by Councillor McGinley
Seconded by Councillor B McNamee and

Resolved: That it be recommended to Council that a meeting be arranged between the Council and the Northern Ireland Housing Executive as soon as possible to discuss a way forward on the provision of a halting site for Travellers within the Mid Ulster area. Scoping exercise and update on work to date to be brought back to Committee.

The Chair raised concern about the erection of signs across the area, which demonstrated threatening language towards staff and councillors. He said that it was up to all members of the Council to condemn such behaviour.

Matters for Decision

E103/18 Dfl Roads Proposals to Mid Ulster District Council – Proposed Provision of two Disabled Persons’ Parking Bays – Castledawson Road, Magherafelt

The Director of Environment & Property presented previously circulated report and sought agreement from Members in relation to proposals from Dfl Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals.

Proposed by Councillor Reid
Seconded by Councillor S McGuigan and

Resolved: That it be recommended to Council to endorse the proposals submitted by Dfl Roads in relation to the provision of two Disabled Persons’ Parking Bays at Castledawson Road, Magherafelt.

E104/18 Dfl Roads Proposals to Mid Ulster Council – Proposed 30mph Speed Limit, Moor Road and Annaghmore Road, Coalisland

The Director of Environment & Property presented previously circulated report and sought the agreement of Members in relation to proposals from Dfl Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals.

Proposed by Councillor Reid
Seconded by Councillor S McGuigan and

Resolved: That it be recommended to Council to endorse the proposals submitted by Dfl Roads in relation to proposed 30mph Speed Limit, Moor Road and Annaghmore Road, Coalisland.

Councillor M Quinn said that he welcomed the introduction of measures to enhance the safety and development at Moor Road and Annaghmore Road, Coalisland as it was a long time coming.

E105/18 Dfl Roads Proposals to Mid Ulster District Council – Proposed No Waiting at Any Time Restriction – Westland Road, Magherafelt

The Director of Environment & Property presented previously circulated report and sought the agreement of Members in relation to proposals from Dfl Roads to introduce measures to enhance the safety and development of the transport network with a range of transport proposals.

Proposed by Councillor Reid
Seconded by Councillor S McGuigan

Resolved: That it be recommended to Council to endorse the proposals submitted by Dfl Roads in relation to proposed No Waiting at Any Time Restriction, Westland Road, Magherafelt.

E106/18 Off Street Car Parking Strategy

The Director of Environment & Property presented previously circulated report and sought the approval of Members in relation to the implementation of the Strategy and Action Plan for Off Street Car Parking. Members will note that this report was deferred for one month at the March 2018 meeting of the Environment Committee.

Councillor B McGuigan stated that following on from a meeting with the Director of Environment & Property, he said that his party had drawn up a draft proposal, which he read out to the Committee as follows:

“The Committee is committed to Pay on Foot as a more user friendly payment mechanism and would ultimately support Pay on Foot being implemented across all of the Councils charged Off-Street Car Parks.

In Order to properly evaluate the impact of the strategy it is therefore proposed that a pilot utilising Pay on Foot, be conducted for a period of not less than six months based on the Central Car Park in Magherafelt with the standard tariff applied (40p per hour) with the proviso that the first two hours are provided without charge (free) for all spaces within the car park.

That the Officers subsequently bring back a report to the Committee following the implementation of the pilot along with the indicative implications for the car parks detailed in Option 4 in terms of the cost of implementation of Pay on Foot along with the anticipated income.

The Committee also notes that the Council has already approved (as part of the rates setting process) the replacement of the £1 for five hours with a £1 for three hours tariff in the existing charged car parks and that this will be implemented through the Agency Agreement with Dfl Roads provisionally by 1 June 2018.”

Proposed by Councillor B McGuigan
Seconded by Councillor S McGuigan

To proceed with Option 4, Charging in all Towns (but not in all sites) as outlined above.

Councillor Cuthbertson advised that he was unable to attend the meeting on behalf of his party, but referred to page 19 of the strategy and said that it seemed to have changed from the previous month as it stated that half of Scotch Street, Dungannon would be Pay on Foot and the rest Pay and Display.

The Director of Environment & Property stated that there was no change on the number of free spaces as the only thing that was changing would be the Pay and Display would be changing to Pay on Foot.

Councillor Cuthbertson agreed that Pay on Foot seems to be the most favourable if this was the case, as Dungannon and Cookstown would receive 2 free carparking hours. He said that by looking at the Strategy with no Option to take things in or out, then he would have to disagree with charging for carparking i.e. Perry Street and would disagree on those grounds. He said that he wouldn't be confident on the findings of one pilot scheme in Magherafelt as this should show a complete reflection of the whole Mid Ulster area to include Cookstown and Dungannon.

Councillor Buchanan stated that Cookstown was different to Dungannon and Magherafelt as it was a very vibrant town which brought a lot of people to the area and carparking charges could deter people from coming to the town and shop elsewhere like retail parks. He said that speaking to the retailers in Cookstown they agreed that free carparking is working very well and that he would have to disagree with the implementation of charges.

Councillor Glasgow advised that it was good that each party had an opportunity to meet to discuss options as this was not a party discussion but what was best for the towns. He said if a pilot scheme comes to Cookstown that he would not be supporting it as carparking charges would be detrimental to the area and whilst listening to retailers concerns, he would be proposing to go with Option 1 to do nothing.

Proposed by Councillor Glasgow
Seconded by Councillor Reid

To proceed with Option 1, To Do Nothing

Councillor Kearney agreed with Councillor B McGuigan's proposal to proceed with Option 4, with free carparking for the first two hours.

Councillor B McGuigan advised that after the pilot was complete, results from the data would indicate the way forward, but he said that there was a need to show equality going forward.

Councillor Glasgow's proposal was put to the vote:

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| For | 4 |
| Against | 8 |

Councillor B McGuigan's proposal was put to the vote:

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| For | 8 |
| Against | 4 |

Councillor B McGuigan's proposal was carried.

Resolved: That it be recommended to Council that approval be given to:

1. Commitment to Pay on Foot as a more user friendly payment mechanism within the Council's Off Street Car Parks with Pay on Foot ultimately being implemented across all of the Councils charged Off-Street Car Parks.
2. In Order to properly evaluate the impact of the proposed strategy that a pilot utilising Pay on Foot, be conducted for a period of not less than six months based on the Central Car Park in Magherafelt with the standard tariff applied (40p per hour) with the proviso that the first two hours are provided without charge (free) for all spaces within the car park.
3. That the Officers subsequently bring back a report to the Committee following the implementation of the pilot along with the indicative implications for the car parks detailed in Option 4 in terms of the cost of implementation of Pay on Foot along with the anticipated income.
4. Notes that the Council has already approved (as part of the rates setting process) the replacement of the £1 for five hours with a £1 for three hours tariff in the existing charged car parks and that this will be implemented through the Agency Agreement with DfI Roads provisionally by 1 June 2018

E107/18 Authorisation of EHOs for Micro Beads Legislation

The Director of Public Health & Infrastructure presented previously circulated report to update the Committee following receipt of request from the Department of Agriculture, Environment and Rural Affairs (DAERA) regarding the designation of Environmental Health Officers as "authorised persons" for the purposes of enforcing legislation to ban the manufacture and sale of rinse-off cosmetic products containing plastic micro-beads.

Councillor Reid enquired what harm plastic was doing to people's overall health if this was the harm that was being caused to the marine environment and said that he would be very concerned.

Councillor M Quinn advised that the effects to humans was not the concern, but that the plastic was having a detrimental effect on the animals and the ocean life.

Councillor Reid that he felt that this could be an issue for humans also and enquired if this could be investigated through the relevant agencies.

The Director of Health & Infrastructure advised that Environmental Health would follow up on any concerns with the Public Health Agency.

Proposed by Councillor B McGuigan
Seconded by Councillor McNamee and

Resolved: That it be recommended to the Council to approve the authorisation of Environmental Health staff for the purposes of Micro Bead regulation under the scheme of delegation to the Director of Public Health & Infrastructure.

E108/18 Dual Language Signage Request

The Head of Building Control presented previously circulated report to advise Members of requests for Dual Language Signage from residents on the streets/roads in question.

Proposed by Councillor McNamee
Seconded by Councillor S McGuigan and

Resolved: That it be recommended to the Council to proceed to survey the following roads on which a request for Dual Language Signage has been received –

- Hall Lane, Gulladuff
- Tullagh View, Cookstown

E109/18 Dual Language Signage Survey

The Head of Building Control presented previously circulated report to advise Members on the result of surveys undertaken on all applicable residents on the streets/roads in response to Dual Language Signage Nameplates requests.

Councillor McNamee enquired if the Building Control department had the required resources to deal with dual language requests as people had indicated to him that they hadn't the opportunity to participate in the survey and asked if the Council were content with their resources.

The Director of Public Health and Infrastructure advised that there was a significant process in managing applications and that the officers involved had to liaise with the Electoral Office and be in attendance during administration.

The Head of Building Control advised that he had one dedicated officer to deal with the survey and to deal with other duties like licencing i.e. petroleum etc.

Councillor McNamee felt that there was a lot of pressure being put on the individual officer and that they may need assistance to help speed the process up.

The Director of Public Health and Infrastructure advised that the resource allocation would be reviewed although this may be difficult due to budget restraints and service requirements , further detail would be provided to Committee .

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan

To agree to the recommendation as outlined.

Councillor Cuthbertson proposed not to proceed with the recommendation as outlined. He said that there seemed to be endless money for Dual Language and felt that staff should be prioritising their workload where there was payments being received i.e. planning fees.

Proposed by Councillor Cuthbertson
Seconded by Councillor Buchanan

To not proceed with the recommendation.

Councillor McNamee said that he wanted it recorded that this was Council Policy, which had to be adhered to.

The Chair said that he took on board comments made and put the two proposals to the vote:

Councillor Cuthbertson's proposal was put to the vote:

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| For | 4 |
| Against | 8 |

Councillor McNamee's proposal was put to the vote:

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|---------|---|
| For | 8 |
| Against | 4 |

Councillor McNamee's proposal was carried.

Resolved: That it be recommended to the Council that Members:

- 1) Note the survey and agree the application of Dual Language Nameplates in Irish for the street/road as noted below:
 - Kinturk Road, Cookstown
- 2) Note the results of the survey and to refuse the application of Dual Language Nameplates in Irish for the street/road as noted below:
 - Ardagh Road, Cookstown
- 3) Paper on resources dealing with Dual Language applications to be brought back to committee.

E110/18 Street Naming and Property Numbering

The Head of Building Control presented previously circulated report for Members to consider the street naming of new residential Housing Developments within Mid-Ulster.

Councillor Cuthbertson enquired if it was necessary to have 5 different names within one development as he would fear that this would cause confusion and suggested that the Developer be asked to reconsider this and just call the development one name.

The Head of Building Control advised that the original proposal was to call it one complete name, but after consideration the Developer must have reflected on this decision and made an application as he was initially questioned at the beginning on what his intention was.

Councillor Cuthbertson enquired if the Developer could be asked to reconsider and give thought to calling the development one name only as there was no through road and would be less confusing.

The Head of Building Control advised that this was the decision for the committee to make.

Councillor Cuthbertson proposed to go back to the Developer and ask him to reconsider calling the development one complete name and bring back to committee.

Councillor McNamee enquired if this could be done before the Council meeting the Developer may have promotional material printed and should be done as soon as possible.

The Director of Public Health and Infrastructure said that review findings would be brought to the next Environment Committee unless the timescales did not permit this.

Proposed by Councillor Cuthbertson
Seconded by Councillor Reid and

Resolved: That it be recommended to the Council to go back to the Developer and ask him to reconsider calling the development one complete name and bring back to committee.

1) Site off Clady Road, Portglenone

Proposed by Councillor Kearney
Seconded by Councillor B McGuigan and

Resolved: That it be recommended to the Council to call the street within a residential development off Clady Road, Portglenone as River Grove.

Matters for Information

E111/18 Minutes of Environment Committee held on Tuesday 13 March 2018

Members noted Minutes of Environment Committee held on Tuesday 13 March 2018.

E112/18 Building Control Workload

Members noted previously circulated report which provided update on the workload analysis for Building Control.

E113/18 Entertainment Licensing Applications

Members noted previously circulated report which provided update on Entertainment Licensing Applications across the Mid Ulster District.

E114/18 Energy Saving in Buildings

Members noted previously circulated report which provided update on Energy Saving in Buildings.

E115/18 Tullyvar Joint Committee Update

Members noted previously circulated report which provided update on Tullyvar Joint Committee.

E116/18 Bank/Public Holiday Working Arrangements for 2018/19 – Environmental Services

Members noted previously circulated report which provided information on Bank/Public Holiday working arrangements for Environmental Health Services during 2018/19 and revised Recycling Centre opening hours from 1st April 2018.

Councillor Glasgow referred to opening hours during the week and said that it was causing some inconvenience as summer hours and winter hours are different and would it not be better to keep the same opening hours throughout the year.

The Head of Environmental Services stated that a survey had been carried out in 2016 on usage during the summer and winter months and based on findings it was felt that it was more beneficial to have three late evenings in the summer, but decrease hours in the winter.

Councillor Glasgow said that it wasn't practical to ask people from Cookstown to drive to Magherafelt to use the amenity site and this could result in some fly tipping and this would need to be prevented.

The Director of Environment and Property advised that opening hours were based on different tiers, categories and that harmonisation was based on usage. He said that he would be happy to review the policy if required.

The Chair said that the best time to review this would be before the setting of the rates next year.

Councillor Cuthbertson said that he welcomed the news especially for Dungannon staff where they wouldn't be required to work on Boxing Day and would be able to spend time with their families.

E117/18 Fairtrade Fortnight Schools Event

Members noted previously circulated report which provided information on the recent Fairtrade Schools Event held as part of Fairtrade Fortnight 2018.

E118/18 Allergen Compliance Initiative

Members noted previously circulated report which provided an update on Environmental Health Team's progress with the Allergen Compliance Strategy which has been ongoing since April 2017.

E119/18 Mid Ulster Community Pharmacy Partnership – Networking Event “Making Links to Lighten the Load”

Members noted previously circulated report which provided an update on the Mid Ulster Community Pharmacy Partnership Networking Event, “Making Links to Lighten the Load” which was held in the Greenvale Hotel, Cookstown on the 21st March 2018.

E120/18 The Calorie Wise Scheme

Members noted previously circulated report which provided an update on the Calorie Wise Scheme and the recent Calorie Wise Workshop which was held for local businesses. Also update on Mid Ulster Hospital in Magherafelt which was the first business in Mid Ulster and Northern Ireland to receive the Calorie Wise award.

E121/18 Signage Vandalism Repairs

Members noted previously circulated report which provided an update on the ongoing repairs and costs associated with damage to Council signage in 2017/18.

Councillor McNamee referred to the vandalism of signage and said that it was a disgrace and should be condemned by everyone within this committee. He said that over 20 attacks have taken place on signage resulting in a financial cost of £1,882 to repair or replace defaced signage on roadsides. He said that this now seems to be a trend and this is escalating on a monthly basis and to go to the extreme of taking a blowtorch to a boundary sign was outrageous and would ask that these are reported to PSNI and if this trend continues, would suggest that the committee meet with the PSNI. He said that he would ask this committee to condemn this vandalism but felt that the silence in the room said it all.

Councillor Buchanan said that English signs were also being defaced for a number of years, Londonderry sign for instance was continuously damaged and no one came out to condemn it.

Councillor B McGuigan said that he had previously brought up the issue of damage to bilingual signs in last few weeks, as English words have been painted out and it seemed to be the same people doing the damage but trying to do so in a different way and that he would condemn the damage to any sign.

Councillor Cuthbertson stated that Councillor Robinson had this week in the local press highlighted the criminal damage to signs in the Clogher Valley area with some signs being defaced and ripped out of the ground in the Claremore Road area and said that this needs to be condemned. He referred to signage, which is covered in algae and dirt and asked if these were included within the associated costs.

The Director of Environment and Property said that such incidents have not been reported to the PSNI and if the committee so wishes this can be done to try and apprehend the culprits.

The Director of Environment and Property in referring to the algae and dirt on signage advised that the street signs would be cleaned if brought to his attention.

In response to Councillor Cuthbertson's query about nameplates being checked, the Director of Environment and Property advised that when staff are out strimming or doing other works that they may be identified, but that no member of staff goes out willingly to check them.

Councillor Glasgow enquired what budget was this coming out of and asked if what was being reported here, was what was paid out to date.

The Director of Environment and Property advised that costs include staff time and wages, and small costs for fuel and that there isn't a specify budget for this kind of issue.

Councillor B McGuigan referred to the cleaning of the signage and said that he had brought this to the attention of an officer this week and suggested that when strimming takes places that the operative cleans the sign at the same time, as this would save time on double jobbing.

Councillor Kearney referred to item 14, Clady Road, Portglenone and advised that the sign was to be removed but an alert member of the public decided to highlight the matter before it was done so.

Proposed by Councillor McNamee
Seconded by Councillor B McGuigan and

Resolved: That it be recommended to the Council that any such incidents of criminal damage to signage be reported to the PSNI.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Glasgow
Seconded by Councillor Gillespie and

Resolved: In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items E122/18 to E131/18.

Matters for Decision

- E122/18 Joint Tender for Appointment of Electricity Supplier
- E123/18 Update in Relation to Procurement Framework for Fleet Consumables
- E124/18 Affordable Warmth
- E125/18 Waste Tyres/Hazardous Waste Initiative
- E126/18 Davagh Forest – Capital Project
- E127/18 ESPO Framework for Refuse and Recycling Products

Matters for Information

- E128/18 Confidential Minutes of Environment Committee held on Tuesday 13 March 2018
- E129/18 Capital Works – Interim Capping (Phase 3) at Tullyvar Landfill Site
- E130/18 Capital Works Update – Construction of Waste Transfer Station
- E131/18 Capital Projects Update

E132/18 Duration of Meeting

The meeting was called for 7 pm and ended at 8.30 pm.

CHAIR _____

DATE _____